

**CITY OF EL PASO, TEXAS  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** City Development Department

**AGENDA DATE:** Introduction: July 31, 2012  
Public Hearing: August 21, 2012

**CONTACT PERSON/PHONE:** Michael McElroy, 541-4633

**DISTRICT(S) AFFECTED:** 6

**SUBJECT:**

An Ordinance changing the zoning of a portion of Lot 1, Block 23, Vista Granada Unit 3, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Textape, Inc. & George Gonzalez. Subject Property: 1380 George Dieter. PZRZ12-00012 (District 6)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (8-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DIRECTOR:** Mathew McElroy  
Director, City Development Department

  
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**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 23, VISTA GRANADA UNIT 3, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of *a portion of Lot 1, Block 23, Vista Granada Unit 3, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **C-1 (COMMERCIAL)** to **C-3 (COMMERCIAL)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.**

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy, Director  
City Development Department

## Metes and Bounds Description

A portion of Lot 1, Block 23, Vista Granada Unit Three, an Addition to the City of El Paso, El Paso County, Texas, more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying on the centerline intersection of Rojas Drive (120' public right-of-way) and George Dieter Drive (120' public right-of-way); THENCE, North  $00^{\circ} 33' 12''$  West, along the centerline of George Dieter Drive, a distance of 67.02 feet to a point; Thence, 734.27 feet, with the centerline of George Dieter Drive and along the arc of a curve to the right, having a radius of 1,320.00 feet, a central angle of  $31^{\circ} 52' 18''$  and a chord which bears North  $15^{\circ} 57' 06''$  East, a distance of 724.84 feet to a point; THENCE, 35.30 feet along the arc of a curve to the left having a radius of 1320.00 feet, a central angle of  $1^{\circ} 31' 56''$  and a chord that bears North  $31^{\circ} 07' 17''$  East, a distance of 35.30 feet; THENCE, South  $68^{\circ} 02' 25''$  East, abandoning said centerline, a distance of 60.00 feet to a set 1/2" iron pin with plastic cap stamped SLI "TX2998" lying on the easterly right-of-way line of George Dieter Drive, being this the TRUE POINT OF BEGINNING of this description;

THENCE, 257.45 feet along the arc of a curve to the left, being the easterly right-of-way of George Dieter Drive having a radius of 1380.00 feet, a central angle of  $10^{\circ} 41' 21''$ , and a chord that bears North  $25^{\circ} 00' 40''$  East, a distance of 257.08 feet to a set 1/2" iron pin with plastic cap stamped SLI "TX2998";

THENCE, leaving said right-of-way, South  $57^{\circ} 04' 46''$  East, a distance of 528.15 feet to a set 1/2" iron pin with plastic cap stamped SLI "TX2998";

THENCE, South  $32^{\circ} 55' 14''$  West, along the common boundary line of Lot 1, Block 23, Vista Granada Unit 3 and Lot 23, Block 341, Vista del Sol Unit 69, a distance of 232.55 feet to a set 1/2" iron pin with plastic cap stamped SLI "TX2998";

THENCE, North  $60^{\circ} 12' 50''$  West, a distance of 493.27 feet to the TRUE POINT OF BEGINNING of the parcel herein described containing 123,512 square feet or 2.8354 acres of land MORE OR LESS.

SLI ENGINEERING, INC,  
Consulting Engineers—Land Surveyors



Tom Rollag, R.P.L.S.  
Registered Professional Land Surveyor  
Texas License No. 6313



May 9, 2012  
Job Number 06-12-3211

M&B/1741



**CITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** 07/31/2012

**TO:** The Honorable Mayor and City Council  
Joyce Wilson, City Manager

**FROM:** Michael McElroy, Planner

**SUBJECT:** REZONING PZRZ12-00012

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The City Plan Commission (CPC) on 07/12/2012 voted **8-0** to recommend **APPROVAL** of rezoning the subject property to C-3 (Commercial), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with Plan El Paso; and the proposed use is in conformance with the Future Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

**Attachment:** Staff Report



## ***City of El Paso – City Plan Commission Staff Report***

**Case No:** PZRZ12-00012  
**Application Type:** Rezoning  
**CPC Hearing Date:** July 12, 2012  
**Staff Planner:** Michael McElroy, 915-541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)  
**Location:** 1380 George Dieter  
**Legal Description:** Portion of Lot 1, Block 23, Vista Granada Unit 3, City of El Paso, El Paso County, Texas  
**Acreage:** 2.83 acres  
**Rep District:** 6  
**Zoning:** C-1 (Commercial)  
**Existing Use:** Vacant  
**Request:** From C-1 (Commercial) to C-3 (Commercial)  
**Proposed Use:** Car dealership  
**Property Owner:** Textape, Inc. & George Gonzalez  
**Representative:** Georges Halloul

### **SURROUNDING ZONING AND LAND USE**

**North:** R-3 (Residential) & C-3 (Commercial) / Vacant & Automotive Repair  
**South:** C-3/sc (Commercial/Special contract) / Tire Shop  
**East:** C-1 (Commercial) / Vacant  
**West:** C-1 (Commercial) / Vacant

**Plan El Paso Designation:** G4, Suburban – Walkable (East)

**Nearest Park:** Zaragoza Park (3,679 ft.)

**Nearest School:** James R. Vasquez Head Start (1,244 ft.)

### **NEIGHBORHOOD ASSOCIATIONS**

Eastside Civic Association

### **NEIGHBORHOOD INPUT**

Notices of the July 12, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on June 20, 2012. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **APPLICATION DESCRIPTION**

The request is to change the zoning from C-1 (Commercial) to C-3 (Commercial) to allow for a new car dealership. The proposed car dealership would be developed on two parcels, one of which is currently zoned C-3/sc. The conceptual site plan proposes a 16,238 sq. ft. building with an on-site ponding area.

The special contract governing a portion of the property to be developed stems from Ordinance #7903, dated November 8, 1983, requiring the dedication and improvement of portions of George Dieter and Rojas before the issuance of building permits or certificates of occupancy, a condition which has been satisfied.

### **CITY DEVELOPMENT DEPARTMENT-PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the rezoning to C-3 (Commercial).

### **Plan for El Paso-Future Land Use Map Designation**

All applications for rezoning shall demonstrate compliance with the following criteria:

G-4 – Suburban: This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-3 district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. Permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

### **COMMENTS:**

#### **Planning - Transportation**

Notes:

Coordinate driveway location with EPDOT.

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

#### **City Development Department - Land Development**

Grading plan and permit shall be required.\* Storm Water Pollution Prevention Plan and/or permit required.\* Drainage plans must be approved by the City Development Department, Land Development Section.\* No water runoff allowed outside the proposed development boundaries; (On-site ponding required and provide location for the proposed ponding area). Recommend that water harvesting through landscaping be used. \* This requirement will be applied at the time of development.

#### **City Development Department – Plan Review**

Approve: This project shall meet code under 18.46.

#### **Fire Department**

Recommend approval of "site plan" as presented. Does not adversely affect fire department. \*\* Note, A more detailed reviewed will be done by fire plan review during the permitting process.

#### **El Paso Water Utilities**

1. EPWU does not object to this request.

#### **Water**

2. There is an existing 12-inch diameter water main that extends along George Dieter Drive fronting the western boundary of the Subject Property (1380 George Dieter Drive). This water main is available for service.

3. Previous water pressure readings conducted on fire hydrant No. 8694 located approximately 300 feet south of the subject property have yielded a static pressure of 145 pounds per square inch (psi), residual pressure of 130 psi and a discharge of 1,210 gallons per minute (gpm).

4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

#### **Sanitary Sewer:**

5. There is an existing 8-inch diameter sanitary sewer main that extends along George Dieter Drive fronting the western boundary of the Subject Property (1380 George Dieter Drive). This sanitary sewer main is available for service. The sewer main is approximately 6.5 feet deep fronting the subject property. Sewer service may not be available if the proposed building is constructed toward the eastern portion of the property.



**General:**

6. Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**CITY PLAN COMMISSION OPTIONS**

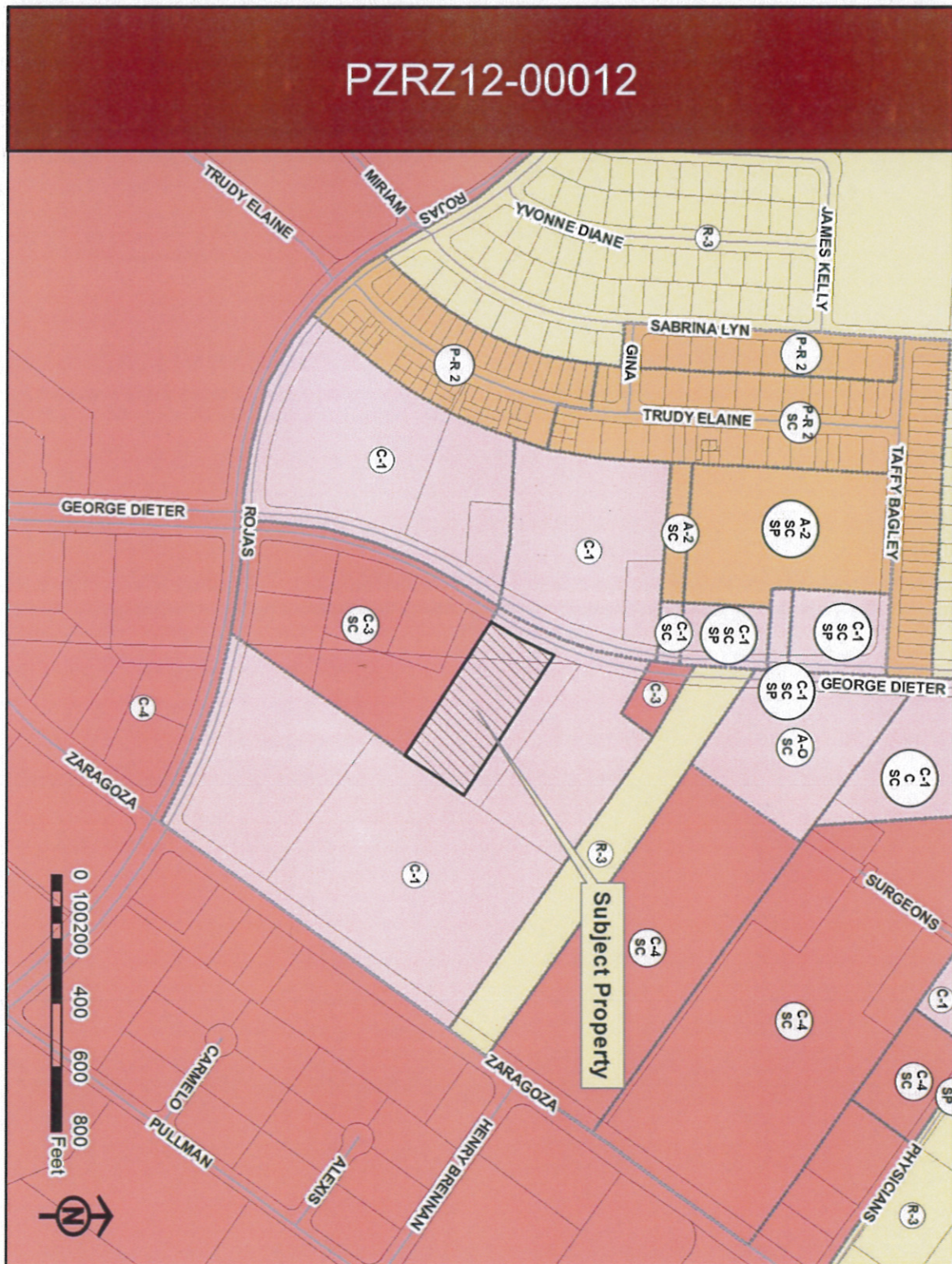
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

ATTACHMENT 1: ZONING MAP





ATTACHMENT 2: AERIAL MAP





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